
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

DIGEST

Proposed law provides that the district is created for the object and purpose of stimulating industrial and commercial development in Orleans Parish and the parishes adjacent to Orleans Parish by developing stable and more extensive employment opportunities, promoting economic development, especially in disadvantaged communities, improving infrastructure, and promoting the overall welfare of the citizens of Orleans Parish. Provides that it may accomplish such through diversified activities, including, but not limited to, activities and planned land uses to foster creation of new jobs, economic development, industry, health care, commerce, manufacturing, tourism, relocation of people and businesses to the district or areas near the district, aviation, military, warehousing, transportation, offices, recreation, housing, environmental conservation, the acquisition of land and improvements, and, when necessary, the construction, operation, and maintenance of facilities, improvements and infrastructure, including buildings, runways, roads, bridges, drainage, and utilities.

Present law provides that in the event any of the organizations or public officials with appointment authority fail to make an appointment within 60 days of the date on which notice to make such appointment is sent to such organization or public official by the mayor, then the mayor shall appoint such member as would have been authorized for such organization or public official.

Proposed law provides that any vacancy in the membership of the board occurring by reason of the expiration of the term of office, or by reason of death, resignation, disqualification, or otherwise, shall be filled by the respective nominating entity within 60 days after receipt by such nominating entity of written notification of the vacancy. In the event that the respective nominating entity fails to fill the vacancy within 60 days after receipt of written notification of the vacancy, the board shall appoint an interim successor to serve on the board until the position is filled by the respective nominating entity responsible for the appointment of such member. If the board fails to fill a vacancy in its membership within such 60 day period, the mayor shall appoint such member. Any board member appointed by the board or mayor pursuant to this proposed law may be replace at any time by a nominee of the appointing authority.

Proposed law provides that any member who misses 50% of the meetings, regular and special, of the board in any calendar year shall be disqualified and removed automatically from office and that person's position shall be vacant, as of the first day of the succeeding calendar year. Such vacated position shall be filled by the respective nominating entity for the balance of the vacated term. The former member shall not be eligible for reappointment until expiration of the balance of the vacated term.

Present law provides that any member of the board appointed pursuant to present law may be removed by his respective appointing authority.

Present law retains present law and clarifies that the member may be removed at any time without cause and makes technical changes.

Present law provides that the board of commissioners may also select one person as president and three people as directors to be in charge of marketing, operations, and finance respectively, who shall not be members of the board, but who shall be legal Louisiana residents.

Proposed law replaces provisions in present law so that one person may be appointed executive director; three people may be appointed vice presidents to be in charge of marketing, operations, and finance respectively, who shall not be members of the board, but who shall be legal Louisiana residents.

Present law provides that the secretary-treasurer shall furnish such bonds as may be required by the board of commissioners. The premium on the bond shall be paid out of the operating funds of the district. The president shall be the chief executive officer of the district, shall manage its affairs and operation, subject to the rules and regulations and bylaws adopted by the council and the board. The president and three vice presidents shall receive such salary and office expense allowance, if any, as shall be fixed and determined by the board of commissioners.

Proposed law retains present law but changes the chief executive officer of the district from the president to the executive director and changes the designation of vice president to directors.

Present law provides that the board of the district shall prepare, or cause to be prepared a plan or plans, such plan or plans being hereinafter referred to collectively as the plan, specifying the public improvements, projects, facilities, and services proposed to be furnished, provided, constructed or acquired, for the district, and it shall conduct such public hearings, publish such notice with respect thereto and disseminate such information as it in the exercise of its sound discretion may deem to be appropriate or advisable and in the public interest.

Proposed law deletes present law.

Present law provides that the board of the district shall also submit its plan to the planning commission of the city of New Orleans. The planning commission shall review and consider the plan in order to determine whether or not it is consistent with the comprehensive plan for the city of New Orleans, and shall within 30 days following receipt thereof submit to the city council its written opinion as to whether or not the plan or any portion or detail thereof is inconsistent with the comprehensive plan for the city, together with its written comments and recommendation with respect thereto to the board of commissioners of the district.

Proposed law deletes present law.

Present law provides that after receipt of the plan together with the written comments and recommendations of the city planning commission, the council shall review and consider the plan, together with such written comments and recommendations. The council may by a majority vote of its members adopt or reject the plan as originally submitted by the board, or it may alter

or modify the plan or any portion or detail thereof, but only by a majority vote of all of its members. If the plan as originally submitted by the board is adopted by a majority vote of the council, it shall become final and conclusive and may thereafter be implemented. If the council alters or modifies the plan by a majority vote of its members, the plan so altered or modified shall be resubmitted to the board of the district for its concurrence or rejection. The board of the district may concur in such modified plan by a majority vote of all of its members. If the board so votes to concur in the plan as modified by the council, it shall notify the council in writing of its action. Thereafter, and as often and at such time or times as the board may deem to be necessary or advisable, it shall prepare, or cause to be prepared, a plan or plans and submit the same to the city planning commission in accordance with the same procedure prescribed with respect to the original plan. The city planning commission shall, in turn, submit such plan, together with its written comments and recommendations to the council for its adoption, modification or rejection in the same manner and with the same effect as provided with respect to the original plan submitted, as aforesaid.

Proposed law deletes present law.

Present law provides that all services to be furnished within the district pursuant to any plan finally and conclusively adopted hereunder, shall be furnished and supplied by the city of New Orleans through its regularly constituted departments, agencies, boards, commissions, and instrumentalities as appropriate in the circumstances. Provides that all capital improvements, projects and facilities to be acquired, constructed or provided within the district, whether from the proceeds of bonds or otherwise, shall likewise be so acquired, constructed, or provided by the city of New Orleans through its regularly constituted departments, agencies, boards, commissions, and instrumentalities as appropriate in the circumstances, it being the intent hereof to avoid duplication of administrative and management efforts and expense in the implementation of any plan adopted for the benefit of the district. In order to provide such public services and provide, construct or acquire such capital improvements, projects and facilities the board, upon the recommendation of its executive director, may enter into contracts with the city of New Orleans. The cost of any such public services, projects, capital improvements and facilities shall be paid to the city of New Orleans out of the proceeds of the special tax levied upon real property within the district as herein provided, or from the proceeds of bonds, as the case may be.

Proposed law deletes present law.

Present law provides that the principal amount of bonds which may be outstanding and unpaid at any one time in the district shall never exceed the sum of \$50,000,000.

Proposed law deletes present law.

Present law provides that the Board of Liquidation, City Debt, as organized and created, and with the powers, duties and functions prescribed by existing laws, shall be continued so long as any bonds authorized are outstanding and unpaid.

Proposed law deletes present law.

Present law provides that the district may acquire, purchase, lease as lessee and hold and use any property, real, personal, or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of the district, and to sell, lease as lessor, transfer, or dispose of any property or interest therein acquired by it.

Proposed law retains present law and provides that the district may also transfer or convey any property or interest acquired by it.

Proposed law provides that the district may lease or sublease, as lessor or lessee or sublessor or subleasee, all or portion of any property at a fixed or variable rental without advertisement for public bids.

Proposed law provides that the district may enter into agreements of any nature with any person or persons, natural or artificial, corporation, association or other entity, including public corporations, political subdivisions, municipalities, the United States government and agencies thereof, or any combination thereof or with instrumentalities of every kind, for the operation of the district, including all or any part of the properties and facilities thereof.

Proposed law provides that the district in its own name and behalf, to incur debt, and issue general obligation bonds for the establishment, operation, and maintenance of district property as an industrial park or to carry out the other public purposes without election, to issue revenue bonds, borrow money, and issue certificates of indebtedness, notes, and other debt obligations as evidence thereof and provide for the manner and method of repayment.

Proposed law provides that the district may require and issue licenses, to regulate the imposition of fees and rentals charged by the district for services rendered by it or fees or rentals charged for use of privately-owned facilities located on district property when such facilities are offered for use by the public or by a private industrial, commercial, research, or other economic development entity or activity.

Proposed law provides that district may develop, activate, construct, exchange, acquire, expropriate, improve, repair, operate, maintain, lease, mortgage, sell, and pledge movable and immovable property, servitudes, facilities, and works under such terms and conditions as the district may deem necessary or appropriate for any public purpose, including industrial and commercial development.

Proposed law provides that the district may incur debt for any one or more of its lawful purposes, to issue in its name negotiable bonds, notes, certificates of indebtedness, or other evidences of debt and to provide for the security and payment thereof.

Proposed law provides that the district may issue, or secure the issuance of, refunding bonds to refund any outstanding bonds issued. Such refunding bonds may be exchanged for the outstanding bonds or may be sold and the proceeds applied to the purchase, redemption, or

payment of the outstanding bonds or deposited in escrow for the retirement of such bonds. The refunding bonds shall be authorized in all respects as original bonds are required to be authorized, and the district, in authorizing the refunding bonds, shall provide for the security of the bonds, the sources from which the bonds are to be paid and for the rights of the holders thereof in all respects as herein provided for other bonds issued under the authority of present law. The district may also provide that the refunding bonds shall have the same priority of lien on the taxes, income, and revenues pledged for their payment as was enjoyed by the bonds refunded.

Proposed law provides that the district may borrow the amount of the anticipated ad valorem tax the district is authorized to levy here under, not to exceed ten mills, for a period not to exceed 20 years and may issue certificates of indebtedness therefor and may dedicate the avails of the tax for the payment thereof for the period of time the certificates are outstanding.

Proposed law provides that the district may appoint officers, agents, and employees and prescribe their duties and fix their compensation which shall be payable out of district funds.

Proposed law provides that the district may use or allow the use of any facilities, land and improvements within the district or ever owned or leased by the district for any lawful purpose.

Proposed law provides that the board of commissioners of the district shall be the appropriate governing body for all purposes provided in the Louisiana Enterprise Zone Act, within the area comprised of property owned and formerly owned by the district, and shall have the power to perform all acts specified by applicable laws and regulations to achieve such purpose.

Proposed law provides that for a period of 30 days from the date of publication of any resolution or ordinance authorizing the issuance of any bonds, certificates of indebtedness, notes, or other evidence of debt of the district, any interested person may contest the legality of such resolution or ordinance and the validity of such bonds, certificates of indebtedness, notes, or other evidence of debt issued or proposed to be issued and the security of their payment, after which time no one shall have any cause of action to contest the legality of the resolution or ordinance or to draw in question the legality of the bonds, certificates of indebtedness, notes, or other evidence of debt, the security therefor, or the debts represented thereby for any cause. It shall be conclusively presumed that every legal requirement has been complied with, and no court shall have authority to inquire into such matters after the lapse of 30 days.

Proposed law provides that the issuance and sale of such bonds, certificates of indebtedness, notes, or other evidence of debt by the district shall be subject to approval by the State Bond Commission.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 33:4701(A), 4702(B)(1), (2), (4) and (6)(b), (C), (E), (F), (G), 4703(A) and (C), and 4706(A) and (B); Adds R.S. 33:4701(C), 4702(B)(3) and (D), and 4706(C) and (D); repeal 33:4702(H),(I) and (J))